

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**KAROLYN YOUNG,**

**Plaintiff,**

**v.**

**CARVANA, LLC, BRIDGEST  
ACCEPTANCE CORPORATION, LOSS  
PREVENTION SERVICES, LLC and  
UNITED RECOVERY AND  
REMARKETING, LLC,**

**Defendants.**

**Civil Action No.: 6:24-cv-03159-MDH**

**DEFENDANTS CARVANA, LLC, BRIDGEST CREDIT COMPANY, LLC AND  
LOSS PREVENTION SERVICES, LLC’S MOTION TO COMPEL ARBITRATION AND  
STAY**

**COME NOW** Defendants Carvana, LLC (“Carvana”), Bridgest Credit Company, LLC (“Bridgest”), improperly named in the Complaint as Bridgest Acceptance Corporation (“BAC”),<sup>1</sup> and Loss Prevention Services, LLC (“LPS”), (collectively, “Defendants”), by and through undersigned counsel, pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. §§ 1 *et seq.*, and hereby move this Court for an order compelling Plaintiff Karolyn Young’s (“Plaintiff”) claims against them to arbitration and staying said claims pending their resolution in arbitration. As grounds for this motion, Defendants respectfully state as follows:

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<sup>1</sup> BAC, the improperly named party, is an affiliate of Bridgest but had no involvement whatsoever with Plaintiff’s contract. (See Declaration of Randall Shaw, Ex. A ¶¶ 10–11.)

1. On May 29, 2024, Plaintiff commenced this action by filing a Complaint against Carvana, Bridgecrest, LPS, and United Recovery and Remarketing, LLC (“United Recovery”). (See Doc. 1.)

2. The Complaint alleges that Plaintiff entered into a contract with Carvana to finance the purchase of a vehicle. (Doc. 1 ¶¶ 29–33.) At all relevant times, Bridgecrest serviced that contract on behalf of Carvana. (See Declaration of Randall Shaw, attached to the Suggestions in Support of this Motion to Compel Arbitration as **Exhibit A**, ¶ 7.)

3. Plaintiff claims that Carvana and/or Bridgecrest hired LPS to repossess the vehicle following Plaintiff’s default under the contract. (See Doc. 1 ¶¶ 39–40.) Plaintiff claims that LPS in turn hired United Recovery to conduct the repossession, which Plaintiff claims breached the peace in violation of federal and state law. (See *id.* ¶¶ 41–61.)

4. Based on the above allegations, Plaintiff asserts claims against LPS and United Recovery under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692f(6)(A) (“FDCPA”) and against Carvana and Bridgecrest under Missouri’s enactment of the Uniform Commercial Code, Mo. Rev. Stat. § 400.9-609 (“UCC”). (See *id.* ¶¶ 62–83.)

5. Plaintiff’s claims against Defendants directly arise out of and relate to Plaintiff’s contract, as the claims all pertain to collection efforts for amounts owed under the contract. The claims are therefore subject to the terms of corresponding Arbitration Agreement, which governs the contract. Accordingly, Plaintiff’s claims against Defendants should be submitted to arbitration.

6. This Motion is supported by Defendants’ Suggestions in Support of Defendants’ Motion to Compel Arbitration and Stay, filed contemporaneously herewith, along with the Declaration of Randall Shaw, attached thereto as **Exhibit A**, and all exhibits attached thereto.

**WHEREFORE**, for the foregoing reasons and the reasons set forth in the accompanying Suggestions, Defendants respectfully request that this Court enter an order compelling Plaintiff's claims against Defendants to arbitration and staying said claims pending their resolution in arbitration.

Respectfully submitted this 2nd day of July, 2024.

/s/Ryli W. Leader

Ryli W. Leader (MO Bar No. 73533)

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CARVANA, LLC, BRIDGESTONE CREDIT

COMPANY, LLC, and LOSS PREVENTION

SERVICES, LLC

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of July, 2024, I have electronically filed a copy of the foregoing document, which will serve the following parties electronically:

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